

***In the Senate of the United States,***

*November 19, 2003.*

*Resolved*, That the bill from the House of Representatives (H.R. 2297) entitled “An Act to amend title 38, United States Code, to improve benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

2       (a) *SHORT TITLE*.—*This Act may be cited as the “Vet-*  
3 *erans Benefits Act of 2003”.*

1        *(b) TABLE OF CONTENTS.—The table of contents for*  
 2 *this Act is as follows:*

*Sec. 1. Short title; table of contents.*

*Sec. 2. References to title 38, United States Code.*

**TITLE I—SURVIVOR BENEFITS**

*Sec. 101. Retention of certain veterans survivor benefits for surviving spouses remarrying after age 57.*

*Sec. 102. Benefits for children with spina bifida of veterans of certain service in Korea.*

*Sec. 103. Alternative beneficiaries for National Service Life Insurance and United States Government Life Insurance.*

*Sec. 104. Payment of benefits accrued and unpaid at time of death.*

**TITLE II—BENEFITS FOR FORMER PRISONERS OF WAR AND FOR  
FILIPINO VETERANS**

**SUBTITLE A—FORMER PRISONERS OF WAR**

*Sec. 201. Presumptions of service-connection relating to diseases and disabilities of former prisoners of war.*

**SUBTITLE B—FILIPINO VETERANS**

*Sec. 211. Rate of payment of benefits for certain Filipino veterans and their survivors residing in the United States.*

*Sec. 212. Burial benefits for new Philippine Scouts residing in the United States.*

*Sec. 213. Extension of authority to maintain regional office in the Republic of the Philippines.*

**TITLE III—EDUCATION BENEFITS, EMPLOYMENT PROVISIONS, AND  
RELATED MATTERS**

*Sec. 301. Expansion of Montgomery GI Bill education benefits for certain self-employment training.*

*Sec. 302. Increase in rates of survivors' and dependents' educational assistance.*

*Sec. 303. Restoration of survivors' and dependents' education benefits of individuals being ordered to full-time National Guard duty.*

*Sec. 304. Rounding down of certain cost-of-living adjustments on educational assistance.*

*Sec. 305. Authorization for State approving agencies to approve certain entrepreneurship courses.*

*Sec. 306. Repeal of provisions relating to obsolete education loan program.*

*Sec. 307. Six-year extension of the Veterans' Advisory Committee on Education.*

*Sec. 308. Procurement program for small business concerns owned and controlled by service-disabled veterans.*

*Sec. 309. Outstationing of Transition Assistance Program personnel.*

**TITLE IV—HOUSING BENEFITS AND RELATED MATTERS**

*Sec. 401. Authorization to provide adapted housing assistance to certain disabled members of the Armed Forces who remain on active duty.*

*Sec. 402. Increase in amounts for certain adaptive benefits for disabled veterans.*

*Sec. 403. Permanent authority for housing loans for members of the Selected Reserve.*

*Sec. 404. Reinstatement of minimum requirements for sale of vendee loans.*

*Sec. 405. Adjustment to home loan fees.*

*Sec. 406. One-year extension of procedures on liquidation sales of defaulted home loans guaranteed by the Department of Veterans Affairs.*

#### **TITLE V—BURIAL BENEFITS**

*Sec. 501. Burial plot allowance.*

*Sec. 502. Eligibility of surviving spouses who remarry for burial in national cemeteries.*

*Sec. 503. Permanent authority for State cemetery grants program.*

#### **TITLE VI—EXPOSURE TO HAZARDOUS SUBSTANCES**

*Sec. 601. Radiation Dose Reconstruction Program of Department of Defense.*

*Sec. 602. Study on disposition of Air Force Health Study.*

*Sec. 603. Funding of Medical Follow-Up Agency of Institute of Medicine of National Academy of Sciences for epidemiological research on members of the Armed Forces and veterans.*

#### **TITLE VII—OTHER MATTERS**

*Sec. 701. Time limitations on receipt of claim information pursuant to requests of Department of Veterans Affairs.*

*Sec. 702. Clarification of applicability of prohibition on assignment of veterans benefits to agreements requiring payment of future receipt of benefits.*

*Sec. 703. Six-year extension of Advisory Committee on Minority Veterans.*

*Sec. 704. Temporary authority for performance of medical disabilities examinations by contract physicians.*

*Sec. 705. Forfeiture of benefits for subversive activities.*

*Sec. 706. Two-year extension of round-down requirement for compensation cost-of-living adjustments.*

*Sec. 707. Codification of requirement for expeditious treatment of cases on remand.*

*Sec. 708. Technical and clerical amendments.*

### **1 SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.**

2       *Except as otherwise expressly provided, whenever in*  
 3 *this Act an amendment or repeal is expressed in terms of*  
 4 *an amendment to, or repeal of, a section or other provision,*  
 5 *the reference shall be considered to be made to a section or*  
 6 *other provision of title 38, United States Code.*

1     ***TITLE I—SURVIVOR BENEFITS***

2     ***SEC. 101. RETENTION OF CERTAIN VETERANS SURVIVOR***  
 3                   ***BENEFITS FOR SURVIVING SPOUSES REMAR-***  
 4                   ***RYING AFTER AGE 57.***

5           (a) *EXCEPTION TO TERMINATION OF BENEFITS UPON*  
 6 *REMARRIAGE.*—Section 103(d)(2)(B) is amended by strik-  
 7 ing “The remarriage after age 55” and inserting “The re-  
 8 marriage after age 57 of the surviving spouse of a veteran  
 9 shall not bar the furnishing of benefits specified in para-  
 10 graph (5) to such person as the surviving spouse of the vet-  
 11 eran. Notwithstanding the previous sentence, the remarriage  
 12 after age 55”.

13          (b) *COORDINATION OF BENEFITS.*—Section 1311 is  
 14 amended by adding at the end the following new subsection:

15           “(e) In the case of an individual who is eligible for  
 16 dependency and indemnity compensation under this section  
 17 by reason of section 103(d)(2)(B) of this title who is also  
 18 eligible for benefits under another provision of law by rea-  
 19 son of such individual’s status as the surviving spouse of  
 20 a veteran, then, notwithstanding any other provision of law  
 21 (other than section 5304(b)(3) of this title), no reduction  
 22 in benefits under such other provision of law shall be made  
 23 by reason of such individual’s eligibility for benefits under  
 24 this section.”.

1       (c) *EFFECTIVE DATE.*—*The amendments made by sub-*  
 2       *sections (a) and (b) shall take effect on January 1, 2004.*

3       (d) *RETROACTIVE BENEFITS PROHIBITED.*—*No ben-*  
 4       *efit may be paid to any person by reason of the amendments*  
 5       *made by subsections (a) and (b) for any period before the*  
 6       *effective date specified in subsection (c).*

7       (e) *APPLICATION FOR BENEFITS.*—*In the case of an*  
 8       *individual who but for having remarried would be eligible*  
 9       *for benefits under title 38, United States Code, by reason*  
 10       *of the amendment made by subsection (a) and whose remar-*  
 11       *riage was before the date of the enactment of this Act and*  
 12       *after the individual had attained age 57, the individual*  
 13       *shall be eligible for such benefits by reason of such amend-*  
 14       *ment only if the individual submits an application for such*  
 15       *benefits to the Secretary of Veterans Affairs not later than*  
 16       *the end of the one-year period beginning on the date of the*  
 17       *enactment of this Act.*

18       (f) *TECHNICAL CORRECTION.*—*Section 101(b) of the*  
 19       *Veterans Benefits Act of 2002 (Public Law 107–330; 116*  
 20       *Stat. 2821; 38 U.S.C. 103 note) is amended by striking*  
 21       *“during the 1–year period” and all that follows through*  
 22       *“(c)” and inserting “before the end of the one-year period*  
 23       *beginning on the date of the enactment of the Veterans Bene-*  
 24       *fits Act of 2003”.*

1 **SEC. 102. BENEFITS FOR CHILDREN WITH SPINA BIFIDA OF**  
 2 **VETERANS OF CERTAIN SERVICE IN KOREA.**

3 (a) *IN GENERAL.*—Chapter 18 is amended—

4 (1) *by redesignating subchapter III, and sections*  
 5 *1821, 1822, 1823, and 1824, as subchapter IV, and*  
 6 *sections 1831, 1832, 1833, and 1834, respectively; and*

7 (2) *by inserting after subchapter II the following*  
 8 *new subchapter III:*

9 “SUBCHAPTER III—CHILDREN OF CERTAIN  
 10 KOREA SERVICE VETERANS BORN WITH  
 11 SPINA BIFIDA

12 “§ 1821. ***Benefits for children of certain Korea service***  
 13 ***veterans born with spina bifida***

14 “(a) *BENEFITS AUTHORIZED.*—The Secretary may  
 15 *provide to any child of a veteran of covered service in Korea*  
 16 *who is suffering from spina bifida the health care, voca-*  
 17 *tional training and rehabilitation, and monetary allowance*  
 18 *required to be paid to a child of a Vietnam veteran who*  
 19 *is suffering from spina bifida under subchapter I of this*  
 20 *chapter as if such child of a veteran of covered service in*  
 21 *Korea were a child of a Vietnam veteran who is suffering*  
 22 *from spina bifida under such subchapter.*

23 “(b) *SPINA BIFIDA CONDITIONS COVERED.*—This sec-  
 24 *tion applies with respect to all forms and manifestations*  
 25 *of spina bifida, except spina bifida occulta.*

1       “(c) *VETERAN OF COVERED SERVICE IN KOREA.*—For  
 2       purposes of this section, a veteran of covered service in  
 3       Korea is any individual, without regard to the character-  
 4       ization of that individual’s service, who—

5               “(1) served in the active military, naval, or air  
 6       service in or near the Korean demilitarized zone  
 7       (DMZ), as determined by the Secretary in consulta-  
 8       tion with the Secretary of Defense, during the period  
 9       beginning on September 1, 1967, and ending on Au-  
 10      gust 31, 1971; and

11              “(2) is determined by the Secretary, in consulta-  
 12      tion with the Secretary of Defense, to have been ex-  
 13      posed to a herbicide agent during such service in or  
 14      near the Korean demilitarized zone.

15       “(d) *HERBICIDE AGENT.*—For purposes of this section,  
 16      the term ‘herbicide agent’ means a chemical in a herbicide  
 17      used in support of United States and allied military oper-  
 18      ations in or near the Korean demilitarized zone, as deter-  
 19      mined by the Secretary in consultation with the Secretary  
 20      of Defense, during the period beginning on September 1,  
 21      1967, and ending on August 31, 1971.”.

22       (b) *CHILD DEFINED.*—Section 1831, as redesignated  
 23      by subsection (a) of this section, is amended by striking  
 24      paragraph (1) and inserting the following new paragraph  
 25      (1):

1           “(1) *The term ‘child’ means the following:*

2                   “(A) *For purposes of subchapters I and II*  
 3                   *of this chapter, an individual, regardless of age*  
 4                   *or marital status, who—*

5                           “(i) *is the natural child of a Vietnam*  
 6                           *veteran; and*

7                           “(ii) *was conceived after the date on*  
 8                           *which that veteran first entered the Repub-*  
 9                           *lic of Vietnam during the Vietnam era.*

10                   “(B) *For purposes of subchapter III of this*  
 11                   *chapter, an individual, regardless of age or mar-*  
 12                   *ital status, who—*

13                           “(i) *is the natural child of a veteran of*  
 14                           *covered service in Korea (as determined for*  
 15                           *purposes of section 1821 of this title); and*

16                           “(ii) *was conceived after the date on*  
 17                           *which that veteran first entered service de-*  
 18                           *scribed in subsection (c) of that section.”.*

19           (c) *NONDUPLICATION OF BENEFITS.—Subsection (a) of*  
 20           *section 1834, as redesignated by subsection (a) of this sec-*  
 21           *tion, is amended by adding at the end the following new*  
 22           *sentence: “In the case of a child eligible for benefits under*  
 23           *subchapter I or II of this chapter who is also eligible for*  
 24           *benefits under subchapter III of this chapter, a monetary*



1 allowance shall be paid under the subchapter of this chapter  
2 elected by the child.”.

3 (d) CONFORMING AMENDMENTS.—(1) Section  
4 1811(1)(A) is amended by striking “section 1821(1)” and  
5 inserting “section 1831(1)”.

6 (2) The heading for chapter 18 is amended to read as  
7 follows:

8 **“CHAPTER 18—BENEFITS FOR CHILDREN**  
9 **OF VIETNAM VETERANS AND CERTAIN**  
10 **OTHER VETERANS”.**

11 (e) CLERICAL AMENDMENTS.—(1) The table of sections  
12 at the beginning of chapter 18 is amended by striking the  
13 items relating to subchapter III and sections 1821, 1822,  
14 1823, and 1824 and inserting the following new items:

“SUBCHAPTER III—CHILDREN OF CERTAIN KOREA SERVICE  
VETERANS BORN WITH SPINA BIFIDA

“1821. Benefits for children of certain Korea service veterans born with spina  
bifida.

“SUBCHAPTER IV—GENERAL PROVISIONS

“1831. Definitions.

“1832. Applicability of certain administrative provisions.

“1833. Treatment of receipt of monetary allowance and other benefits.

“1834. Nonduplication of benefits.”.

15 (2) The table of chapters at the beginning of title 38,  
16 United States Code, and at the beginning of part II, are  
17 each amended by striking the item relating to chapter 18  
18 and inserting the following new item:

**“18. Benefits for Children of Vietnam Veterans and Cer-  
tain Other Veterans ..... 1802”.**

1 **SEC. 103. ALTERNATIVE BENEFICIARIES FOR NATIONAL**  
 2 **SERVICE LIFE INSURANCE AND UNITED**  
 3 **STATES GOVERNMENT LIFE INSURANCE.**

4 (a) NATIONAL SERVICE LIFE INSURANCE.—Section  
 5 1917 is amended by adding at the end the following new  
 6 subsection:

7 “(f)(1) Following the death of the insured and in a  
 8 case not covered by subsection (d)—

9 “(A) if the first beneficiary otherwise entitled to  
 10 payment of the insurance does not make a claim for  
 11 such payment within two years after the death of the  
 12 insured, payment may be made to another beneficiary  
 13 designated by the insured, in the order of precedence  
 14 as designated by the insured, as if the first bene-  
 15 ficiary had predeceased the insured; and

16 “(B) if, within four years after the death of the  
 17 insured, no claim has been filed by a person des-  
 18 ignated by the insured as a beneficiary and the Sec-  
 19 retary has not received any notice in writing that  
 20 any such claim will be made, payment may (notwith-  
 21 standing any other provision of law) be made to such  
 22 person as may in the judgment of the Secretary be eq-  
 23 uitably entitled thereto.

24 “(2) Payment of insurance under paragraph (1) shall  
 25 be a bar to recovery by any other person.”.

1       (b) *UNITED STATES GOVERNMENT LIFE INSUR-*  
 2 *ANCE.—Section 1952 is amended by adding at the end the*  
 3 *following new subsection:*

4       “(c)(1) *Following the death of the insured and in a*  
 5 *case not covered by section 1950 of this title—*

6               “(A) *if the first beneficiary otherwise entitled to*  
 7 *payment of the insurance does not make a claim for*  
 8 *such payment within two years after the death of the*  
 9 *insured, payment may be made to another beneficiary*  
 10 *designated by the insured, in the order of precedence*  
 11 *as designated by the insured, as if the first bene-*  
 12 *ficiary had predeceased the insured; and*

13              “(B) *if, within four years after the death of the*  
 14 *insured, no claim has been filed by a person des-*  
 15 *ignated by the insured as a beneficiary and the Sec-*  
 16 *retary has not received any notice in writing that*  
 17 *any such claim will be made, payment may (notwith-*  
 18 *standing any other provision of law) be made to such*  
 19 *person as may in the judgment of the Secretary be eq-*  
 20 *uitably entitled thereto.*

21       “(2) *Payment of insurance under paragraph (1) shall*  
 22 *be a bar to recovery by any other person.”.*

23       (c) *EFFECTIVE DATE.—The amendments made by sub-*  
 24 *sections (a) and (b) shall take effect on October 1, 2004.*

1       (d) *TRANSITION PROVISION.*—*In the case of a person*  
 2 *insured under subchapter I or II of chapter 19 of title 38,*  
 3 *United States Code, who dies before the effective date of the*  
 4 *amendments made by subsections (a) and (b), as specified*  
 5 *by subsection (c), the two-year and four-year periods speci-*  
 6 *fied in subsection (f)(1) of section 1917 of title 38, United*  
 7 *States Code, as added by subsection (a), and subsection*  
 8 *(c)(1) of section 1952 of such title, as added by subsection*  
 9 *(b), as applicable, shall for purposes of the applicable sub-*  
 10 *section be treated as being the two-year and four-year peri-*  
 11 *ods, respectively, beginning on the effective date of such*  
 12 *amendments, as so specified.*

13 **SEC. 104. PAYMENT OF BENEFITS ACCRUED AND UNPAID AT**  
 14 **TIME OF DEATH.**

15       (a) *REPEAL OF TWO-YEAR LIMITATION ON PAY-*  
 16 *MENT.*—*Section 5121(a) is amended by striking “for a pe-*  
 17 *riod not to exceed two years” in the matter preceding para-*  
 18 *graph (1).*

19       (b) *PAYMENT RECIPIENTS FOR BENEFICIARIES UNDER*  
 20 *CHAPTER 18.*—*Such section is further amended—*

21               (1) *by striking “and” at the end of paragraph*

22               (4);

23               (2) *by redesignating paragraph (5) as para-*  
 24               *graph (6); and*

1           (3) by inserting after paragraph (4) the fol-  
 2           lowing new paragraph (5):

3           “(5) Upon the death of a child claiming benefits  
 4           under chapter 18 of this title, to the surviving par-  
 5           ents.”.

6           (c) *TECHNICAL AMENDMENTS.*—Such section is fur-  
 7           ther amended—

8           (1) in the matter preceding paragraph (1), by  
 9           striking the comma after “or decisions”;

10          (2) by striking the semicolon at the end of para-  
 11          graphs (1), (2), (3), and (4), and at the end of sub-  
 12          paragraphs (A) and (B) of paragraph (2), and insert-  
 13          ing a period.

14          (d) *EFFECTIVE DATE.*—The amendments made by  
 15          subsections (a) and (b) shall apply with respect to deaths  
 16          occurring on or after the date of the enactment of this Act.

1 **TITLE II—BENEFITS FOR**  
 2 **FORMER PRISONERS OF WAR**  
 3 **AND FOR FILIPINO VETERANS**  
 4 **Subtitle A—Former Prisoners of**  
 5 **War**

6 **SEC. 201. PRESUMPTIONS OF SERVICE-CONNECTION RE-**  
 7 **LATING TO DISEASES AND DISABILITIES OF**  
 8 **FORMER PRISONERS OF WAR.**

9 *Subsection (b) of section 1112 is amended to read as*  
 10 *follows:*

11 *“(b)(1) For the purposes of section 1110 of this title*  
 12 *and subject to the provisions of section 1113 of this title,*  
 13 *in the case of a veteran who is a former prisoner of war—*

14 *“(A) a disease specified in paragraph (2) which*  
 15 *became manifest to a degree of 10 percent or more*  
 16 *after active military, naval, or air service shall be*  
 17 *considered to have been incurred in or aggravated by*  
 18 *such service, notwithstanding that there is no record*  
 19 *of such disease during the period of service; and*

20 *“(B) if the veteran was detained or interned as*  
 21 *a prisoner of war for not less than thirty days, a dis-*  
 22 *ease specified in paragraph (3) which became mani-*  
 23 *fest to a degree of 10 percent or more after active*  
 24 *military, naval, or air service shall be considered to*  
 25 *have been incurred in or aggravated by such service,*

1       *notwithstanding that there is no record of such dis-*  
 2       *ease during the period of service.*

3       “(2) *The diseases specified in this paragraph are the*  
 4       *following:*

5               “(A) *Psychosis.*

6               “(B) *Any of the anxiety states.*

7               “(C) *Dysthymic disorder (or depressive neu-*  
 8       *rosis).*

9               “(D) *Organic residuals of frostbite, if the Sec-*  
 10       *retary determines that the veteran was detained or*  
 11       *interned in climatic conditions consistent with the oc-*  
 12       *currence of frostbite.*

13              “(E) *Post-traumatic osteoarthritis.*

14       “(3) *The diseases specified in this paragraph are the*  
 15       *following:*

16              “(A) *Avitaminosis.*

17              “(B) *Beriberi (including beriberi heart disease).*

18              “(C) *Chronic dysentery.*

19              “(D) *Helminthiasis.*

20              “(E) *Malnutrition (including optic atrophy asso-*  
 21       *ciated with malnutrition).*

22              “(F) *Pellagra.*

23              “(G) *Any other nutritional deficiency.*

24              “(H) *Cirrhosis of the liver.*

1           “(I) *Peripheral neuropathy except where directly*  
 2           *related to infectious causes.*

3           “(J) *Irritable bowel syndrome.*

4           “(K) *Peptic ulcer disease.*”.

## 5           ***Subtitle B—Filipino Veterans***

### 6   ***SEC. 211. RATE OF PAYMENT OF BENEFITS FOR CERTAIN*** 7           ***FILIPINO VETERANS AND THEIR SURVIVORS*** 8           ***RESIDING IN THE UNITED STATES.***

9           (a) *RATE OF PAYMENT.*—Section 107 is amended—  
 10           (1) *in the second sentence of subsection (b), by*  
 11           *striking “Payments” and inserting “Except as pro-*  
 12           *vided in subsection (c), payments”; and*

13           (2) *in subsection (c)—*

14                   (A) *by inserting “and subchapter II of*  
 15                   *chapter 13 (except section 1312(a)) of this title”*  
 16                   *after “chapter 11 of this title”;*

17                   (B) *by striking “in subsection (a)” and in-*  
 18                   *serting “in subsection (a) or (b)”;* and

19                   (C) *by striking “of subsection (a)” and in-*  
 20                   *serting “of the applicable subsection”.*

21           (b) *EFFECTIVE DATE.*—*The amendments made by sub-*  
 22           *section (a) shall apply to benefits paid for months begin-*  
 23           *ning after the date of the enactment of this Act.*



1 **SEC. 212. BURIAL BENEFITS FOR NEW PHILIPPINE SCOUTS**

2 **RESIDING IN THE UNITED STATES.**

3 (a) *BENEFIT ELIGIBILITY.*—Section 107, as amended  
4 by section 211 of this Act, is amended—

5 (1) in subsection (b)(2)—

6 (A) by striking “and” and inserting a  
7 comma; and

8 (B) by inserting “, 23, and 24 (to the extent  
9 provided for in section 2402(8))” after “(except  
10 section 1312(a))”;

11 (2) in the second sentence of subsection (b), as so  
12 amended, by inserting “or (d)” after “subsection (c)”;

13 (3) in subsection (d)(1), by inserting “or (b), as  
14 otherwise applicable,” after “subsection (a)”;

15 (4) in subsection (d)(2), by inserting “or whose  
16 service is described in subsection (b) and who dies  
17 after the date of the enactment of the Veterans Bene-  
18 fits Act of 2003,” after “November 1, 2000,”.

19 (b) *NATIONAL CEMETERY INTERMENT.*—Section  
20 2402(8) is amended by striking “section 107(a)” and insert-  
21 ing “subsection (a) or (b) of section 107”.

22 (c) *EFFECTIVE DATE.*—The amendments made by this  
23 section shall apply with respect to deaths occurring on or  
24 after the date of the enactment of this Act.

1 **SEC. 213. EXTENSION OF AUTHORITY TO MAINTAIN RE-**  
 2 **GIONAL OFFICE IN THE REPUBLIC OF THE**  
 3 **PHILIPPINES.**

4 *Section 315(b) is amended by striking “December 31,*  
 5 *2003” and inserting “December 31, 2009”.*

6 **TITLE III—EDUCATION BENE-**  
 7 **FITS, EMPLOYMENT PROVI-**  
 8 **SIONS, AND RELATED MAT-**  
 9 **TERS**

10 **SEC. 301. EXPANSION OF MONTGOMERY GI BILL EDU-**  
 11 **CATION BENEFITS FOR CERTAIN SELF-EM-**  
 12 **PLOYMENT TRAINING.**

13 *(a) DEFINITION OF TRAINING ESTABLISHMENT.—Sec-*  
 14 *tion 3452(e) is amended by striking “means any” and all*  
 15 *that follows and inserting “means any of the following:*

16 *“(1) An establishment providing apprentice or*  
 17 *other on-job training, including those under the su-*  
 18 *pervision of a college or university or any State de-*  
 19 *partment of education.*

20 *“(2) An establishment providing self-employment*  
 21 *on-job training consisting of full-time training for a*  
 22 *period of less than six months that is needed or ac-*  
 23 *cepted for purposes of obtaining licensure to engage in*  
 24 *a self-employment occupation or required for owner-*  
 25 *ship and operation of a franchise that is the objective*  
 26 *of the training.*

1 “(3) *A State board of vocational education.*

2 “(4) *A Federal or State apprenticeship registra-*  
3 *tion agency.*

4 “(5) *A joint apprenticeship committee estab-*  
5 *lished pursuant to the Act of August 16, 1937, popu-*  
6 *larly known as the ‘National Apprenticeship Act’ (29*  
7 *U.S.C. 50 et seq.).*

8 “(6) *An agency of the Federal Government au-*  
9 *thorized to supervise such training.”.*

10 (b) *EFFECTIVE DATE.*—*The amendment made by sub-*  
11 *section (a) shall take effect on the date that is six months*  
12 *after the date of the enactment of this Act and shall apply*  
13 *to self-employment on-job training approved and pursued*  
14 *on or after that date.*

15 **SEC. 302. INCREASE IN RATES OF SURVIVORS’ AND DE-**  
16 **PENDENTS’ EDUCATIONAL ASSISTANCE.**

17 (a) *SURVIVORS’ AND DEPENDENTS’ EDUCATIONAL AS-*  
18 *SISTANCE.*—*Section 3532 is amended—*

19 (1) *in subsection (a)—*

20 (A) *in paragraph (1), by striking “at the*  
21 *monthly rate of” and all that follows and insert-*  
22 *ing “at the monthly rate of \$788 for full-time,*  
23 *\$592 for three-quarter-time, or \$394 for half-time*  
24 *pursuit.”; and*

1                   (B) in paragraph (2), by striking “at the  
2                   rate of” and all that follows and inserting “at  
3                   the rate of the lesser of—

4                   “(A) the established charges for tuition and fees  
5                   that the educational institution involved requires  
6                   similarly circumstanced nonveterans enrolled in the  
7                   same program to pay; or

8                   “(B) \$788 per month for a full-time course.”;

9                   (2) in subsection (b), by striking “\$670” and in-  
10                  serting “\$788”; and

11                  (3) in subsection (c)(2), by striking “shall be”  
12                  and all that follows and inserting “shall be \$636 for  
13                  full-time, \$477 for three-quarter-time, or \$319 for  
14                  half-time pursuit.”.

15                  (b) *CORRESPONDENCE COURSES*.—Section 3534(b) is  
16                  amended by striking “\$670” and inserting “\$788”.

17                  (c) *SPECIAL RESTORATIVE TRAINING*.—Section  
18                  3542(a) is amended—

19                   (1) by striking “\$670” and inserting “\$788”;  
20                  and

21                   (2) by striking “\$210” each place it appears and  
22                  inserting “\$247”.

23                  (d) *APPRENTICESHIP TRAINING*.—Section 3687(b)(2)  
24                  is amended by striking “shall be \$488 for the first six  
25                  months” and all that follows and inserting “shall be \$574

1 *for the first six months, \$429 for the second six months,*  
 2 *\$285 for the third six months, and \$144 for the fourth and*  
 3 *any succeeding six-month period of training.”.*

4 *(e) EFFECTIVE DATE.—The amendments made by this*  
 5 *section shall take effect on July 1, 2004, and shall apply*  
 6 *with respect to educational assistance allowances payable*  
 7 *under chapter 35 and section 3687(b)(2) of title 38, United*  
 8 *States Code, for months beginning on or after that date.*

9 **SEC. 303. RESTORATION OF SURVIVORS’ AND DEPENDENTS’**

10 **EDUCATION BENEFITS OF INDIVIDUALS**

11 **BEING ORDERED TO FULL-TIME NATIONAL**

12 **GUARD DUTY.**

13 *(a) DELIMITING DATE.—Section 3512(h) is amended*  
 14 *by inserting “or is involuntarily ordered to full-time Na-*  
 15 *tional Guard duty under section 502(f) of title 32,” after*  
 16 *“title 10,”.*

17 *(b) EFFECTIVE DATE.—The amendment made by sub-*  
 18 *section (a) shall take effect as of September 11, 2001.*

19 **SEC. 304. ROUNDING DOWN OF CERTAIN COST-OF-LIVING**

20 **ADJUSTMENTS ON EDUCATIONAL ASSIST-**

21 **ANCE.**

22 *(a) BASIC EDUCATIONAL ASSISTANCE UNDER MONT-*  
 23 *GOMERY GI BILL.—Section 3015(h) is amended—*

24 *(1) by redesignating paragraphs (1) and (2) as*  
 25 *subparagraphs (A) and (B), respectively;*

1           (2) by inserting “(1)” after “(h)”;

2           (3) by striking “(rounded to the nearest dollar)”;

3           (4) in subparagraph (B), as so redesignated, by  
4       striking “paragraph (1)” and inserting “subpara-  
5       graph (A)”;

6           (5) by adding at the end the following new para-  
7       graph:

8       “(2) Any increase under paragraph (1) in a rate with  
9       respect to a fiscal year after fiscal year 2004 and before  
10      fiscal year 2014 shall be rounded down to the next lower  
11      whole dollar amount. Any such increase with respect to a  
12      fiscal year after fiscal year 2013 shall be rounded to the  
13      nearest whole dollar amount.”.

14       (b) SURVIVORS’ AND DEPENDENTS’ EDUCATIONAL AS-  
15      SISTANCE.—Section 3564 is amended—

16           (1) by inserting “(a)” before “With”;

17           (2) by striking “(rounded to the nearest dollar)”;

18       and

19           (3) by adding at the end the following new sub-  
20      section:

21       “(b) Any increase under subsection (a) in a rate with  
22      respect to a fiscal year after fiscal year 2004 and before  
23      fiscal year 2014 shall be rounded down to the next lower  
24      whole dollar amount. Any such increase with respect to a

1 *fiscal year after fiscal year 2013 shall be rounded to the*  
 2 *nearest whole dollar amount.”.*

3 **SEC. 305. AUTHORIZATION FOR STATE APPROVING AGEN-**  
 4 **CIES TO APPROVE CERTAIN ENTREPRENEUR-**  
 5 **SHIP COURSES.**

6 *(a) APPROVAL OF ENTREPRENEURSHIP COURSES.—*  
 7 *Section 3675 is amended by adding at the end the following*  
 8 *new subsection:*

9 *“(c)(1) A State approving agency may approve the en-*  
 10 *trepreneurship courses offered by a qualified provider of en-*  
 11 *trepreneurship courses.*

12 *“(2) For purposes of this subsection, the term ‘entre-*  
 13 *preneurship course’ means a non-degree, non-credit course*  
 14 *of business education that enables or assists a person to*  
 15 *start or enhance a small business concern (as defined pursu-*  
 16 *ant to section 3(a) of the Small Business Act (15 U.S.C.*  
 17 *632(a))).*

18 *“(3) Subsection (a) and paragraphs (1) and (2) of sub-*  
 19 *section (b) shall not apply to—*

20 *“(A) an entrepreneurship course offered by a*  
 21 *qualified provider of entrepreneurship courses; and*

22 *“(B) a qualified provider of entrepreneurship*  
 23 *courses by reason of such provider offering one or*  
 24 *more entrepreneurship courses.”.*

1       (b) *BUSINESS OWNERS NOT TREATED AS ALREADY*  
 2 *QUALIFIED.*—Section 3471 is amended by inserting before  
 3 the last sentence the following: “The Secretary shall not  
 4 treat a person as already qualified for the objective of a  
 5 program of education offered by a qualified provider of en-  
 6 trepreneurship courses solely because such person is the  
 7 owner or operator of a business.”.

8       (c) *INCLUSION OF ENTREPRENEURSHIP COURSES IN*  
 9 *DEFINITION OF PROGRAM OF EDUCATION.*—Subsection (b)  
 10 of section 3452 is amended by adding at the end the fol-  
 11 lowing: “Such term also includes any course, or combina-  
 12 tion of courses, offered by a qualified provider of entrepre-  
 13 neurship courses.”.

14       (d) *INCLUSION OF QUALIFIED PROVIDER OF ENTRE-*  
 15 *PRENEURSHIP COURSES IN DEFINITION OF EDUCATIONAL*  
 16 *INSTITUTION.*—Subsection (c) of section 3452 is amended  
 17 by adding at the end the following: “Such term also includes  
 18 any qualified provider of entrepreneurship courses.”.

19       (e) *DEFINITION OF QUALIFIED PROVIDER OF ENTRE-*  
 20 *PRENEURSHIP COURSES.*—Section 3452 is further amended  
 21 by adding at the end the following new subsection:

22       “(h) The term ‘qualified provider of entrepreneurship  
 23 courses’ means any of the following entities insofar as such  
 24 entity offers, sponsors, or cosponsors an entrepreneurship  
 25 course (as defined in section 3675(c)(2) of this title):



1           “(1) *Any small business development center de-*  
 2           *scribed in section 21 of the Small Business Act (15*  
 3           *U.S.C. 648).*

4           “(2) *The National Veterans Business Develop-*  
 5           *ment Corporation (established under section 33 of the*  
 6           *Small Business Act (15 U.S.C. 657c)).”.*

7           (f) *EFFECTIVE DATE.*—*The amendments made by this*  
 8           *section shall apply to courses approved by State approving*  
 9           *agencies after the date of the enactment of this Act.*

10   **SEC. 306. REPEAL OF PROVISIONS RELATING TO OBSOLETE**  
 11           **EDUCATION LOAN PROGRAM.**

12           (a) *TERMINATION OF PROGRAM.*—*The Secretary of*  
 13           *Veterans Affairs may not make a loan under subchapter*  
 14           *III of chapter 36 of title 38, United States Code, after the*  
 15           *date of the enactment of this Act.*

16           (b) *DISCHARGE OF LIABILITIES.*—*Effective as of the*  
 17           *date of the transfer of funds under subsection (c)—*

18                   (1) *any liability on an education loan under*  
 19                   *subchapter III of chapter 36 of title 38, United States*  
 20                   *Code, that is outstanding as of such date shall be*  
 21                   *deemed discharged; and*

22                   (2) *the right of the United States to recover an*  
 23                   *overpayment declared under section 3698(e)(1) of*  
 24                   *such title that is outstanding as of such date shall be*  
 25                   *deemed waived.*

1       (c) *TERMINATION OF LOAN FUND.*—(1) *Effective as of*  
 2 *the day before the date of the repeal under this section of*  
 3 *subchapter III of chapter 36 of title 38, United States Code,*  
 4 *all monies in the revolving fund of the Treasury known as*  
 5 *the “Department of Veterans Affairs Education Loan*  
 6 *Fund” shall be transferred to the Department of Veterans*  
 7 *Affairs Readjustment Benefits Account, and the revolving*  
 8 *fund shall be closed.*

9       (2) *Any monies transferred to the Department of Vet-*  
 10 *erans Affairs Readjustment Benefits Account under para-*  
 11 *graph (1) shall be merged with amounts in that account*  
 12 *and shall be available for the same purposes, and subject*  
 13 *to the same conditions and limitations, as amounts in that*  
 14 *account.*

15       (d) *USE OF ENTITLEMENT TO VETERANS EDU-*  
 16 *CATIONAL ASSISTANCE FOR EDUCATION LOAN PROGRAM.*—  
 17 *Section 3462(a) is amended by striking paragraph (2).*

18       (e) *REPEAL OF EDUCATION LOAN PROGRAM.*—Sub-  
 19 *chapter III of chapter 36 is repealed.*

20       (f) *CONFORMING AMENDMENTS.*—(1) *Section*  
 21 *3485(e)(1) is amended by striking “(other than an edu-*  
 22 *cation loan under subchapter III)”.*

23       (2) *Section 3512 is amended by striking subsection (f).*

24       (g) *CLERICAL AMENDMENT.*—*The table of sections at*  
 25 *the beginning of chapter 36 is amended by striking the*

1 *items relating to subchapter III and sections 3698 and*  
 2 *3699.*

3 *(h) EFFECTIVE DATES.—(1) The amendments made*  
 4 *by subsection (d) shall take effect on the date of the enact-*  
 5 *ment of this Act.*

6 *(2) The amendments made by subsections (e), (f), and*  
 7 *(g) shall take effect 90 days after the date of the enactment*  
 8 *of this Act.*

9 **SEC. 307. SIX-YEAR EXTENSION OF THE VETERANS' ADVI-**  
 10 **SORY COMMITTEE ON EDUCATION.**

11 *(a) MEMBERSHIP.—Subsection (a) of section 3692 is*  
 12 *amended in the second sentence by inserting “, to the max-*  
 13 *imum extent practicable,” after “The committee shall also”.*

14 *(b) EXTENSION.—Subsection (c) of that section is*  
 15 *amended by striking “December 31, 2003” and inserting*  
 16 *“December 31, 2009”.*

17 *(c) TECHNICAL AMENDMENTS.—That section is further*  
 18 *amended—*

19 *(1) in subsections (a) and (b), by striking “chap-*  
 20 *ter 106” each place it appears and inserting “chapter*  
 21 *1606”; and*

22 *(2) in subsection (b), by striking “chapter 30”*  
 23 *and inserting “chapters 30”.*

1 **SEC. 308. PROCUREMENT PROGRAM FOR SMALL BUSINESS**  
 2 **CONCERNS OWNED AND CONTROLLED BY**  
 3 **SERVICE-DISABLED VETERANS.**

4 *The Small Business Act (15 U.S.C. 631 et seq.) is*  
 5 *amended by redesignating section 36 as section 37 and by*  
 6 *inserting after section 35 the following new section:*

7 **“SEC. 36. PROCUREMENT PROGRAM FOR SMALL BUSINESS**  
 8 **CONCERNS OWNED AND CONTROLLED BY**  
 9 **SERVICE-DISABLED VETERANS.**

10 *“(a) SOLE SOURCE CONTRACTS.—In accordance with*  
 11 *this section, a contracting officer may award a sole source*  
 12 *contract to any small business concern owned and con-*  
 13 *trolled by service-disabled veterans if—*

14 *“(1) such concern is determined to be a respon-*  
 15 *sible contractor with respect to performance of such*  
 16 *contract opportunity and the contracting officer does*  
 17 *not have a reasonable expectation that 2 or more*  
 18 *small business concerns owned and controlled by serv-*  
 19 *ice-disabled veterans will submit offers for the con-*  
 20 *tracting opportunity;*

21 *“(2) the anticipated award price of the contract*  
 22 *(including options) will not exceed—*

23 *“(A) \$5,000,000, in the case of a contract*  
 24 *opportunity assigned a standard industrial clas-*  
 25 *sification code for manufacturing; or*

1                   “(B) \$3,000,000, in the case of any other  
2                   contract opportunity; and

3                   “(3) in the estimation of the contracting officer,  
4                   the contract award can be made at a fair and reason-  
5                   able price.

6                   “(b) *RESTRICTED COMPETITION.*—In accordance with  
7                   this section, a contracting officer may award contracts on  
8                   the basis of competition restricted to small business concerns  
9                   owned and controlled by service-disabled veterans if the con-  
10                  tracting officer has a reasonable expectation that not less  
11                  than 2 small business concerns owned and controlled by  
12                  service-disabled veterans will submit offers and that the  
13                  award can be made at a fair market price.

14                  “(c) *RELATIONSHIP TO OTHER CONTRACTING PREF-*  
15                  *ERENCES.*—A procurement may not be made from a source  
16                  on the basis of a preference provided under subsection (a)  
17                  or (b) if the procurement would otherwise be made from  
18                  a different source under section 4124 or 4125 of title 18,  
19                  United States Code, or the Javits-Wagner-O’Day Act (41  
20                  U.S.C. 46 *et seq.*).

21                  “(d) *ENFORCEMENT; PENALTIES.*—Rules similar to  
22                  the rules of paragraphs (5) and (6) of section 8(m) shall  
23                  apply for purposes of this section.

24                  “(e) *CONTRACTING OFFICER.*—For purposes of this  
25                  section, the term ‘contracting officer’ has the meaning given

1 *such term in section 27(f)(5) of the Office of Federal Pro-*  
 2 *curement Policy Act (41 U.S.C. 423(f)(5)).”.*

3 **SEC. 309. OUTSTATIONING OF TRANSITION ASSISTANCE**  
 4 **PROGRAM PERSONNEL.**

5 *(a) IN GENERAL.—(1) Chapter 41 is amended by add-*  
 6 *ing at the end the following new section:*

7 **“§4113. Outstationing of Transition Assistance Pro-**  
 8 **gram personnel**

9 *“(a) STATIONING OF TAP PERSONNEL AT OVERSEAS*  
 10 *MILITARY INSTALLATIONS.—(1) The Secretary—*

11 *“(A) shall station employees of the Veterans’ Em-*  
 12 *ployment and Training Service, or contractors under*  
 13 *subsection (c), at each veterans assistance office de-*  
 14 *scribed in paragraph (2); and*

15 *“(B) may station such employees or contractors*  
 16 *at such other military installations outside the United*  
 17 *States as the Secretary, after consultation with the*  
 18 *Secretary of Defense, determines to be appropriate or*  
 19 *desirable to carry out the purposes of this chapter.*

20 *“(2) Veterans assistance offices referred to in para-*  
 21 *graph (1)(A) are those offices that are established by the*  
 22 *Secretary of Veterans Affairs on military installations pur-*  
 23 *suant to the second sentence of section 7723(a) of this title.*

24 *“(b) FUNCTIONS.—Employees (or contractors) sta-*  
 25 *tioned at military installations pursuant to subsection (a)*

1 *shall provide, in person, counseling, assistance in identi-*  
 2 *fying employment and training opportunities, help in ob-*  
 3 *taining such employment and training, and other related*  
 4 *information and services to members of the Armed Forces*  
 5 *who are being separated from active duty, and the spouses*  
 6 *of such members, under the Transition Assistance Program*  
 7 *and Disabled Transition Assistance Program established in*  
 8 *section 1144 of title 10.*

9       “(c) *AUTHORITY TO CONTRACT WITH PRIVATE ENTI-*  
 10 *TIES.—The Secretary, consistent with section 1144 of title*  
 11 *10, may enter into contracts with public or private entities*  
 12 *to provide, in person, some or all of the counseling, assist-*  
 13 *ance, information and services under the Transition Assist-*  
 14 *ance Program required under subsection (a).”.*

15       (2) *The table of sections at the beginning of such chap-*  
 16 *ter is amended by adding at the end the following new item:*

*“4113. Outstationing of Transition Assistance Program personnel.”.*

17       (b) *DEADLINE FOR IMPLEMENTATION.—Not later than*  
 18 *90 days after the date of the enactment of this Act, the Sec-*  
 19 *retary of Labor shall implement section 4113 of title 38,*  
 20 *United States Code, as added by subsection (a), and shall*  
 21 *have employees of the Veterans’ Employment and Training*  
 22 *Service, or contractors, to carry out that section at the mili-*  
 23 *tary installations involved by such date.*

24       (c) *ADDITIONAL AMENDMENT.—(1) The second sen-*  
 25 *tence of section 7723(a) is amended by inserting “and tak-*

1 *ing into account recommendations, if any, of the Secretary*  
 2 *of Labor” after “Secretary of Defense”*

3 *(2) The amendment made by paragraph (1) shall*  
 4 *apply with respect to offices established after the date of*  
 5 *the enactment of this Act.*

6 ***TITLE IV—HOUSING BENEFITS***  
 7 ***AND RELATED MATTERS***

8 ***SEC. 401. AUTHORIZATION TO PROVIDE ADAPTED HOUSING***  
 9 ***ASSISTANCE TO CERTAIN DISABLED MEM-***  
 10 ***BERS OF THE ARMED FORCES WHO REMAIN***  
 11 ***ON ACTIVE DUTY.***

12 *Section 2101 is amended by adding at the end the fol-*  
 13 *lowing new subsection:*

14 *“(c)(1) The Secretary may provide assistance under*  
 15 *subsection (a) to a member of the Armed Forces serving on*  
 16 *active duty who is suffering from a disability described in*  
 17 *paragraph (1), (2), or (3) of that subsection if such dis-*  
 18 *ability is the result of an injury incurred or disease con-*  
 19 *tracted in or aggravated in line of duty in the active mili-*  
 20 *tary, naval, or air service. Such assistance shall be provided*  
 21 *to the same extent as assistance is provided under that sub-*  
 22 *section to veterans eligible for assistance under that sub-*  
 23 *section and subject to the requirements of the second sen-*  
 24 *tence of that subsection.*



1       “(2) *The Secretary may provide assistance under sub-*  
2 *section (b) to a member of the Armed Forces serving on*  
3 *active duty who is suffering from a disability described in*  
4 *subparagraph (A) or (B) of paragraph (1) of that subsection*  
5 *if such disability is the result of an injury incurred or dis-*  
6 *ease contracted in or aggravated in line of duty in the ac-*  
7 *tive military, naval, or air service. Such assistance shall*  
8 *be provided to the same extent as assistance is provided*  
9 *under that subsection to veterans eligible for assistance*  
10 *under that subsection and subject to the requirements of*  
11 *paragraph (2) of that subsection.”.*

12   **SEC. 402. INCREASE IN AMOUNTS FOR CERTAIN ADAPTIVE**  
13                   **BENEFITS FOR DISABLED VETERANS.**

14       (a) *INCREASE IN ASSISTANCE AMOUNT FOR SPE-*  
15 *cially ADAPTED HOUSING.—Section 2102 is amended—*

16               (1) *in the matter preceding paragraph (1) of*  
17               *subsection (a), by striking “\$48,000” and inserting*  
18               *“\$50,000”; and*

19               (2) *in subsection (b)(2), by striking “\$9,250”*  
20               *and inserting “\$10,000”.*

21       (b) *INCREASE IN AMOUNT OF ASSISTANCE FOR AUTO-*  
22 *MOBILE AND ADAPTIVE EQUIPMENT FOR CERTAIN DIS-*  
23 *ABLED VETERANS.—Section 3902(a) is amended by strik-*  
24 *ing “\$9,000” and inserting “\$11,000”.*

1       (c) *EFFECTIVE DATE.*—*The amendments made by sub-*  
 2 *sections (a) and (b) shall apply with respect to assistance*  
 3 *furnished on or after the date of the enactment of this Act.*

4       **SEC. 403. PERMANENT AUTHORITY FOR HOUSING LOANS**  
 5               **FOR MEMBERS OF THE SELECTED RESERVE.**

6       Section 3702(a)(2)(E) is amended by striking “For the  
 7 period” and all that follows through “each” and inserting  
 8 “Each”.

9       **SEC. 404. REINSTATEMENT OF MINIMUM REQUIREMENTS**  
 10               **FOR SALE OF VENDEE LOANS.**

11       (a) *REINSTATEMENT.*—*Subsection (a) of section 3733*  
 12 *is amended by adding at the end the following new para-*  
 13 *graph:*

14               “(7) During the period that begins on the date of the  
 15 enactment of the Veterans’ Benefits Act of 2003 and ends  
 16 on September 30, 2013, the Secretary shall carry out the  
 17 provisions of this subsection as if—

18                       “(A) the references in the first sentence of para-

19               graph (1) to ‘65 percent’ and ‘may be financed’ were

20               references to ‘85 percent’ and ‘shall be financed’, re-

21               spectively;

22                       “(B) the second sentence of paragraph (1) were

23               repealed; and

1 “(C) the reference in paragraph (2) to ‘Sep-  
 2 tember 30, 1990,’ were a reference to ‘September 30,  
 3 2013,’.”

4 (b) *STYLISTIC AMENDMENTS*.—Such section is further  
 5 amended—

6 (1) by striking “of this subsection” after—

7 (A) “paragraph (1)” in subsections  
 8 (a)(4)(A), (a)(5), (a)(6), and (c)(2); and

9 (B) “paragraph (5)” in subsection  
 10 (a)(4)(B)(i); and

11 (2) by striking “of this paragraph” each place it  
 12 appears in subsection (a)(4).

13 **SEC. 405. ADJUSTMENT TO HOME LOAN FEES.**

14 *Effective January 1, 2004, paragraph (2) of section*  
 15 *3729(b) is amended to read as follows:*

16 “(2) *The loan fee table referred to in paragraph (1)*  
 17 *is as follows:*

“LOAN FEE TABLE

Type of loan	Active duty veteran	Reservist	Other obligor
(A)(i) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed before January 1, 2004) .....	2.00	2.75	NA
(A)(ii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after January 1, 2004, and before October 1, 2004) .....	2.20	2.40	NA
(A)(iii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2004, and before October 1, 2011) .....	2.15	2.40	NA
(A)(iv) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2011) .....	1.40	1.65	NA

“LOAN FEE TABLE—Continued

Type of loan	Active duty veteran	Reservist	Other obligor
(B)(i) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed before January 1, 2004) .....	3.00	3.00	NA
(B)(ii) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after January 1, 2004, and before October 1, 2011) .....	3.30	3.30	NA
(B)(iii) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after October 1, 2011 and before October 1, 2013) .....	2.15	2.15	NA
(B)(iv) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after October 1, 2013) .....	1.25	1.25	NA
(C)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed before October 1, 2011) .....	1.50	1.75	NA
(C)(ii) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after October 1, 2011) .....	0.75	1.00	NA
(D)(i) Initial loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed before October 1, 2011) .....	1.25	1.50	NA
(D)(ii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after October 1, 2011) .....	0.50	0.75	NA
(E) Interest rate reduction refinancing loan .....	0.50	0.50	NA
(F) Direct loan under section 3711 .....	1.00	1.00	NA
(G) Manufactured home loan under section 3712 (other than an interest rate reduction refinancing loan) .....	1.00	1.00	NA
(H) Loan to Native American veteran under section 3762 (other than an interest rate reduction refinancing loan) .....	1.25	1.25	NA
(I) Loan assumption under section 3714 .....	0.50	0.50	0.50
(J) Loan under section 3733(a) .....	2.25	2.25	2.25”.

1    **SEC. 406. ONE-YEAR EXTENSION OF PROCEDURES ON LIQ-**  
2                                    **UIDATION SALES OF DEFAULTED HOME**  
3                                    **LOANS GUARANTEED BY THE DEPARTMENT**  
4                                    **OF VETERANS AFFAIRS.**

5            *Section 3732(c)(11) is amended by striking “October*  
6 *1, 2011” and inserting “October 1, 2012”.*

7            **TITLE V—BURIAL BENEFITS**

8    **SEC. 501. BURIAL PLOT ALLOWANCE.**

9            *(a) IN GENERAL.—Section 2303(b) is amended—*

1           (1) *in the matter preceding paragraph (1), by*  
 2           *striking “a burial allowance under such section 2302,*  
 3           *or under such subsection, who was discharged from*  
 4           *the active military, naval, or air service for a dis-*  
 5           *ability incurred or aggravated in line of duty, or who*  
 6           *is a veteran of any war” and inserting “burial in a*  
 7           *national cemetery under section 2402 of this title”;*  
 8           *and*

9           (2) *in paragraph (2), by striking “(other than a*  
 10          *veteran whose eligibility for benefits under this sub-*  
 11          *section is based on being a veteran of any war)” and*  
 12          *inserting “is eligible for a burial allowance under sec-*  
 13          *tion 2302 of this title or under subsection (a) of this*  
 14          *section, or was discharged from the active military,*  
 15          *naval, or air service for a disability incurred or ag-*  
 16          *gravated in line of duty, and such veteran”.*

17          (b) *CONFORMING AMENDMENT.—Section 2307 is*  
 18          *amended in the last sentence by striking “and (b)” and in-*  
 19          *serting “and (b)(2)”.*

20          **SEC. 502. ELIGIBILITY OF SURVIVING SPOUSES WHO RE-**  
 21                               **MARRY FOR BURIAL IN NATIONAL CEME-**  
 22                               **TERIES.**

23          (a) *ELIGIBILITY.—Section 2402(5) is amended by*  
 24          *striking “(which for purposes of this chapter includes an*  
 25          *unremarried surviving spouse who had a subsequent remar-*

riage which was terminated by death or divorce)” and inserting “(which for purposes of this chapter includes a surviving spouse who had a subsequent remarriage)”.

(b) *EFFECTIVE DATE.*—The amendment made by subsection (a) shall apply with respect to deaths occurring on or after January 1, 2000.

**SEC. 503. PERMANENT AUTHORITY FOR STATE CEMETERY GRANTS PROGRAM.**

(a) *PERMANENT AUTHORITY.*—Subsection (a) of section 2408 is amended—

(1) by striking “(1)”; and

(2) by striking paragraph (2).

(b) *CONFORMING AMENDMENT.*—Subsection (e) of such section is amended by striking “Sums appropriated under subsection (a) of this section” and inserting “Amounts appropriated to carry out this section”.

(c) *TECHNICAL AMENDMENT TO REPEAL OBSOLETE PROVISION.*—Subsection (d)(1) of such section is amended by striking “on or after November 21, 1997,”.

**TITLE VI—EXPOSURE TO HAZARDOUS SUBSTANCES**

**SEC. 601. RADIATION DOSE RECONSTRUCTION PROGRAM OF DEPARTMENT OF DEFENSE.**

(a) *REVIEW OF MISSION, PROCEDURES, AND ADMINISTRATION.*—(1) *The Secretary of Veterans Affairs and the*

1 *Secretary of Defense shall jointly conduct a review of the*  
2 *mission, procedures, and administration of the Radiation*  
3 *Dose Reconstruction Program of the Department of Defense.*

4 *(2) In conducting the review under paragraph (1), the*  
5 *Secretaries shall—*

6 *(A) determine whether any additional actions*  
7 *are required to ensure that the quality assurance and*  
8 *quality control mechanisms of the Radiation Dose Re-*  
9 *construction Program are adequate and sufficient for*  
10 *purposes of the program; and*

11 *(B) determine the actions that are required to*  
12 *ensure that the mechanisms of the Radiation Dose Re-*  
13 *construction Program for communication and inter-*  
14 *action with veterans are adequate and sufficient for*  
15 *purposes of the program, including mechanisms to*  
16 *permit veterans to review the assumptions utilized in*  
17 *their dose reconstructions.*

18 *(3) Not later than 90 days after the date of the enact-*  
19 *ment of this Act, the Secretaries shall jointly submit to Con-*  
20 *gress a report on the review under paragraph (1). The re-*  
21 *port shall set forth—*

22 *(A) the results of the review;*

23 *(B) a plan for any actions determined to be re-*  
24 *quired under paragraph (2); and*

1           (C) *such other recommendations for the improve-*  
2           *ment of the mission, procedures, and administration*  
3           *of the Radiation Dose Reconstruction Program as the*  
4           *Secretaries jointly consider appropriate.*

5           (b) *ON-GOING REVIEW AND OVERSIGHT.—The Secre-*  
6           *taries shall jointly take appropriate actions to ensure the*  
7           *on-going independent review and oversight of the Radiation*  
8           *Dose Reconstruction Program, including the establishment*  
9           *of the advisory board required by subsection (c).*

10          (c) *ADVISORY BOARD.—(1) In taking actions under*  
11          *subsection (b), the Secretaries shall jointly appoint an advi-*  
12          *sory board to provide review and oversight of the Radiation*  
13          *Dose Reconstruction Program.*

14          (2) *The advisory board under paragraph (1) shall be*  
15          *composed of the following:*

16               (A) *At least one expert in historical dose recon-*  
17               *struction of the type conducted under the Radiation*  
18               *Dose Reconstruction Program.*

19               (B) *At least one expert in radiation health mat-*  
20               *ters.*

21               (C) *At least one expert in risk communications*  
22               *matters.*

23               (D) *A representative of the Department of Vet-*  
24               *erans Affairs.*



1           (E) *A representative of the Defense Threat Re-*  
2           *duction Agency.*

3           (F) *At least three veterans, including at least one*  
4           *veteran who is a member of an atomic veterans*  
5           *group.*

6           (3) *The advisory board under paragraph (1) shall—*

7               (A) *conduct periodic, random audits of dose re-*  
8               *constructions under the Radiation Dose Reconstruc-*  
9               *tion Program and of decisions by the Department of*  
10              *Veterans Affairs on claims for service connection of*  
11              *radiogenic diseases;*

12              (B) *assist the Department of Veterans Affairs*  
13              *and the Defense Threat Reduction Agency in commu-*  
14              *nicating to veterans information on the mission, pro-*  
15              *cedures, and evidentiary requirements of the Radi-*  
16              *ation Dose Reconstruction Program; and*

17              (C) *carry out such other activities with respect*  
18              *to the review and oversight of the Radiation Dose Re-*  
19              *construction Program as the Secretaries shall jointly*  
20              *specify.*

21           (4) *The advisory board under paragraph (1) may*  
22           *make such recommendations on modifications in the mis-*  
23           *sion or procedures of the Radiation Dose Reconstruction*  
24           *Program as the advisory board considers appropriate as a*  
25           *result of the audits conducted under paragraph (3)(A).*

1 **SEC. 602. STUDY ON DISPOSITION OF AIR FORCE HEALTH**  
2 **STUDY.**

3 (a) *STUDY REQUIRED.*—The Secretary of Veterans Af-  
4 fairs shall, in accordance with this section, carry out a  
5 study to determine the appropriate disposition of the Air  
6 Force Health Study, an epidemiologic study of Air Force  
7 personnel who were responsible for conducting aerial spray  
8 missions of herbicides during the Vietnam era.

9 (b) *STUDY THROUGH NATIONAL ACADEMY OF*  
10 *SCIENCES.*—Not later than 60 days after the date of the  
11 enactment of this Act, the Secretary shall seek to enter into  
12 an agreement with the National Academy of Sciences, or  
13 another appropriate scientific organization, to carry out the  
14 study required by subsection (a).

15 (c) *ELEMENTS.*—Under the study under subsection  
16 (a), the National Academy of Sciences, or other appropriate  
17 scientific organization, shall address the following:

18 (1) *The scientific merit of retaining and main-*  
19 *taining the medical records, other study data, and*  
20 *laboratory specimens collected in the course of the Air*  
21 *Force Health Study after the currently-scheduled ter-*  
22 *mination date of the study in 2006.*

23 (2) *Whether or not any obstacles exist to retain-*  
24 *ing and maintaining the medical records, other study*  
25 *data, and laboratory specimens referred to in para-*  
26 *graph (1), including privacy concerns.*

1           (3) *The advisability of providing independent*  
2           *oversight of the medical records, other study data, and*  
3           *laboratory specimens referred to in paragraph (1),*  
4           *and of any further study of such records, data, and*  
5           *specimens, and, if so, the mechanism for providing*  
6           *such oversight.*

7           (4) *The advisability of extending the Air Force*  
8           *Health Study, including the potential value and rel-*  
9           *evance of extending the study, the potential cost of ex-*  
10          *tending the study, and the Federal or non-Federal en-*  
11          *tity best suited to continue the study if extended.*

12          (5) *The advisability of making the laboratory*  
13          *specimens of the Air Force Health Study available for*  
14          *independent research, including the potential value*  
15          *and relevance of such research, and the potential cost*  
16          *of such research.*

17          (d) *REPORT.*—*Not later than 120 days after entering*  
18          *into an agreement under subsection (b), the National Acad-*  
19          *emy of Sciences, or other appropriate scientific organiza-*  
20          *tion, shall submit to the Secretary and Congress a report*  
21          *on the results of the study under subsection (a). The report*  
22          *shall include the results of the study, including the matters*  
23          *addressed under subsection (c), and such other recommenda-*  
24          *tions as the Academy, or other appropriate scientific orga-*  
25          *nization, considers appropriate as a result of the study.*

1 **SEC. 603. FUNDING OF MEDICAL FOLLOW-UP AGENCY OF IN-**  
 2 **STITUTE OF MEDICINE OF NATIONAL ACAD-**  
 3 **EMY OF SCIENCES FOR EPIDEMIOLOGICAL**  
 4 **RESEARCH ON MEMBERS OF THE ARMED**  
 5 **FORCES AND VETERANS.**

6 (a) *FUNDING.*—(1) *The Secretary of Veterans Affairs*  
 7 *and the Secretary of Defense shall each make available to*  
 8 *the National Academy of Sciences in each of fiscal years*  
 9 *2004 through 2013 the amount of \$250,000 for the Medical*  
 10 *Follow-Up Agency of the Institute of Medicine of the Acad-*  
 11 *emy for purposes of epidemiological research on members*  
 12 *of the Armed Forces and veterans.*

13 (2) *The Secretary of Veterans Affairs shall make avail-*  
 14 *able amounts under paragraph (1) for a fiscal year from*  
 15 *amounts available for the Department of Veterans Affairs*  
 16 *for that fiscal year.*

17 (3) *The Secretary of Defense shall make available*  
 18 *amounts under paragraph (1) for a fiscal year from*  
 19 *amounts available for the Department of Defense for that*  
 20 *fiscal year.*

21 (b) *USE OF FUNDS.*—*The Medical Follow-Up Agency*  
 22 *shall use funds made available under subsection (a) for epi-*  
 23 *demiological research on members of the Armed Forces and*  
 24 *veterans.*

25 (c) *SUPPLEMENT NOT SUPPLANT.*—*Amounts made*  
 26 *available to the Medical Follow-Up Agency under this sec-*

tion for a fiscal year for the purposes referred to in subsection (b) are in addition to any other amount made available to the Agency for that fiscal year for those purposes.

## **TITLE VII—OTHER MATTERS**

### **SEC. 701. TIME LIMITATIONS ON RECEIPT OF CLAIM INFORMATION PURSUANT TO REQUESTS OF DEPARTMENT OF VETERANS AFFAIRS.**

(a) *INFORMATION TO COMPLETE CLAIMS APPLICATIONS.*—Section 5102 is amended by adding at the end the following new subsection:

“(c) *TIME LIMITATION.*—(1) If information that a claimant and the claimant’s representative, if any, are notified under subsection (b) is necessary to complete an application is not received by the Secretary within one year from the date such notice is sent, no benefit may be paid or furnished by reason of the claimant’s application.

“(2) This subsection shall not apply to any application or claim for Government life insurance benefits.”.

(b) *CONSTRUCTION OF LIMITATION ON INFORMATION TO SUBSTANTIATE CLAIMS.*—Section 5103(b) is amended—

(1) in paragraph (1), by striking “if such” and all that follows through “application” and inserting “such information or evidence must be received by the Secretary within one year from the date such notice is sent”; and

1           (2) *by adding at the end the following new para-*  
 2       *graph:*

3       “(3) *Nothing in paragraph (1) shall be construed to*  
 4       *prohibit the Secretary from making a decision on a claim*  
 5       *before the expiration of the period referred to in that sub-*  
 6       *section.”.*

7       (c) *EFFECTIVE DATE.*—*The amendments made by this*  
 8       *section shall take effect as if enacted on November 9, 2000,*  
 9       *immediately after the enactment of the Veterans Claims As-*  
 10      *sistance Act of 2000 (Public Law 106–475; 114 Stat. 2096).*

11      (d) *PROCEDURES FOR READJUDICATION OF CERTAIN*  
 12      *CLAIMS.*—(1) *The Secretary of Veterans Affairs shall re-*  
 13      *adjudicate a claim of a qualified claimant if the request*  
 14      *for such readjudication is received not later than the end*  
 15      *of the one-year period that begins on the date of the enact-*  
 16      *ment of this Act.*

17      (2) *For purposes of this subsection, a claimant is*  
 18      *qualified within the meaning of paragraph (1) if the*  
 19      *claimant—*

20           (A) *received notice under section 5103(a) of title*  
 21           38, *United States Code, requesting information or*  
 22           *evidence to substantiate a claim;*

23           (B) *did not submit such information or evidence*  
 24           *within a year after the date such notice was sent;*

1           (C) did not file a timely appeal to the Board of  
 2       Veterans' Appeals or the United States Court of Ap-  
 3       peals for Veterans Claims; and

4           (D) submits such information or evidence during  
 5       the one-year period referred to in paragraph (1).

6       (3) If the decision of the Secretary on a readjudication  
 7       under this subsection is in favor of the qualified claimant,  
 8       the award of the grant shall take effect as if the prior deci-  
 9       sion by the Secretary on the claim had not been made.

10       (4) Nothing in this subsection shall be construed to es-  
 11       tablish a duty on the part of the Secretary to identify or  
 12       readjudicate any claim that—

13           (A) is not submitted during the one-year period  
 14       referred to in paragraph (1); or

15           (B) has been the subject of a timely appeal to the  
 16       Board of Veterans' Appeals or the United States  
 17       Court of Appeals for Veterans Claims.

18       (e) CONSTRUCTION ON PROVIDING RENOTIFICATION.—  
 19       Nothing in this section, or the amendments made by this  
 20       section, shall be construed to require the Secretary of Vet-  
 21       erans Affairs—

22           (1) to provide notice under section 5103(a) of  
 23       such title with respect to a claim insofar as the Sec-  
 24       retary has previously provided such notice; or

1           (2) *to provide for a special notice with respect*  
 2           *to this section and the amendments made by this sec-*  
 3           *tion.*

4 **SEC. 702. CLARIFICATION OF APPLICABILITY OF PROHIBI-**  
 5                           **TION ON ASSIGNMENT OF VETERANS BENE-**  
 6                           **FITS TO AGREEMENTS REQUIRING PAYMENT**  
 7                           **OF FUTURE RECEIPT OF BENEFITS.**

8           *Section 5301(a) is amended—*

9                   (1) *by inserting “(1)” after “(a)”;*

10                  (2) *by designating the last sentence as paragraph*  
 11                  *(2); and*

12                  (3) *by adding at the end the following new para-*  
 13                  *graph:*

14                  “(3)(A) *This paragraph is intended to clarify that, in*  
 15                  *any case where a beneficiary entitled to compensation, pen-*  
 16                  *sion, or dependency and indemnity compensation enters*  
 17                  *into an agreement with another person under which agree-*  
 18                  *ment such other person acquires for consideration the right*  
 19                  *to receive such benefit by payment of such compensation,*  
 20                  *pension, or dependency and indemnity compensation, as*  
 21                  *the case may be, except as provided in subparagraph (B),*  
 22                  *and including deposit into a joint account from which such*  
 23                  *other person may make withdrawals, or otherwise, such*  
 24                  *agreement shall be deemed to be an assignment and is pro-*  
 25                  *hibited.*



1       “(B) Notwithstanding subparagraph (A), nothing in  
 2 this paragraph is intended to prohibit a loan involving a  
 3 beneficiary under the terms of which the beneficiary may  
 4 use the benefit to repay such other person as long as each  
 5 of the periodic payments made to repay such other person  
 6 is separately and voluntarily executed by the beneficiary  
 7 or is made by preauthorized electronic funds transfer pursu-  
 8 ant to the Electronic Funds Transfers Act (15 U.S.C. 1693  
 9 et seq.).

10       “(C) Any agreement or arrangement for collateral for  
 11 security for an agreement that is prohibited under subpara-  
 12 graph (A) is also prohibited and is void from its incep-  
 13 tion.”.

14       **SEC. 703. SIX-YEAR EXTENSION OF ADVISORY COMMITTEE**  
 15                               **ON MINORITY VETERANS.**

16       Section 544(e) is amended by striking “December 31,  
 17 2003” and inserting “December 31, 2009”.

18       **SEC. 704. TEMPORARY AUTHORITY FOR PERFORMANCE OF**  
 19                               **MEDICAL DISABILITIES EXAMINATIONS BY**  
 20                               **CONTRACT PHYSICIANS.**

21       (a) *AUTHORITY*.—Using appropriated funds, other  
 22 than funds available for compensation and pension, the  
 23 Secretary of Veterans Affairs may provide for the conduct  
 24 of examinations with respect to the medical disabilities of  
 25 applicants for benefits under laws administered by the Sec-

1   retary by persons other than Department of Veterans Af-  
 2   fairs employees. The authority under this section is in addi-  
 3   tion to the authority provided in section 504(b) of the Vet-  
 4   erans' Benefits Improvement Act of 1996 (Public Law 104-  
 5   275; 38 U.S.C. 5101 note).

6       (b) *PERFORMANCE BY CONTRACT.*—Examinations  
 7   under the authority provided in subsection (a) shall be con-  
 8   ducted pursuant to contracts entered into and administered  
 9   by the Under Secretary for Benefits.

10       (c) *EXPIRATION.*—The authority in subsection (a)  
 11   shall expire on December 31, 2009. No examination may  
 12   be carried out under the authority provided in that sub-  
 13   section after that date.

14       (d) *REPORT.*—Not later than four years after the date  
 15   of the enactment of this Act, the Secretary shall submit to  
 16   Congress a report on the use of the authority provided in  
 17   subsection (a). The Secretary shall include in the report an  
 18   assessment of the effect of examinations under that author-  
 19   ity on the cost, timeliness, and thoroughness of examina-  
 20   tions with respect to the medical disabilities of applicants  
 21   for benefits under laws administered by the Secretary.

22   **SEC. 705. FORFEITURE OF BENEFITS FOR SUBVERSIVE AC-**  
 23       **TIVITIES.**

24       (a) *ADDITION OF CERTAIN OFFENSES.*—Paragraph  
 25   (2) of section 6105(b) is amended—

1           (1) by inserting “175, 229,” after “sections”; and  
 2           (2) by inserting “831, 1091, 2332a, 2332b,” after  
 3           “798,”.

4           (b) *EFFECTIVE DATE.*—The amendments made by sub-  
 5 section (a) shall apply to claims filed after the date of the  
 6 enactment of this Act.

7   **SEC. 706. TWO-YEAR EXTENSION OF ROUND-DOWN RE-**  
 8                           **QUIREMENT FOR COMPENSATION COST-OF-**  
 9                           **LIVING ADJUSTMENTS.**

10          Sections 1104(a) and 1303(a) are each amended by  
 11 striking “2011” and inserting “2013”.

12   **SEC. 707. CODIFICATION OF REQUIREMENT FOR EXPEDI-**  
 13                           **TIOUS TREATMENT OF CASES ON REMAND.**

14          (a) *CASES REMANDED BY BOARD OF VETERANS’ AP-*  
 15 *PEALS.*—(1) Chapter 51 is amended by adding at the end  
 16 of subchapter I the following new section:

17   **“§ 5109B. Expedited treatment of remanded claims**

18           *“The Secretary shall take such actions as may be nec-*  
 19 *essary to provide for the expeditious treatment by the ap-*  
 20 *propriate regional office of the Veterans Benefits Adminis-*  
 21 *tration of any claim that is remanded to a regional office*  
 22 *of the Veterans Benefits Administration by the Board of*  
 23 *Veterans’ Appeals.”.*

1       (2) *The table of sections at the beginning of such chap-*  
 2 *ter is amended by inserting after the item relating to section*  
 3 *5109A the following new item:*

*“5109B. Expedited treatment of remanded claims.”.*

4       (b) *CASES REMANDED BY COURT OF APPEALS FOR*  
 5 *VETERANS CLAIMS.—(1) Chapter 71 is amended by adding*  
 6 *at the end the following new section:*

7       **“§ 7112. Expedited treatment of remanded claims**

8       *“The Secretary shall take such actions as may be nec-*  
 9 *essary to provide for the expeditious treatment by the Board*  
 10 *of any claim that is remanded to the Secretary by the Court*  
 11 *of Appeals for Veterans Claims.”.*

12       (2) *The table of sections at the beginning of such chap-*  
 13 *ter is amended by adding at the end the following new item:*

*“7112. Expedited treatment of remanded claims.”.*

14       (c) *REPEAL OF SOURCE SECTION.—Section 302 of the*  
 15 *Veterans’ Benefits Improvement Act of 1994 (Public Law*  
 16 *103–446; 108 Stat. 4658; 38 U.S.C. 5101 note) is repealed.*

17       **SEC. 708. TECHNICAL AND CLERICAL AMENDMENTS.**

18       (a) *MISCELLANEOUS AMENDMENTS.—(1) Section*  
 19 *103(d) is amended—*

20               (A) *in paragraph (4)—*

21                       (i) *in the matter preceding subparagraph*

22               (A), *by striking “this subsection” and inserting*

23               *“paragraph (2)(A) or (3)”;* and

1                   (ii) in subparagraph (A), by striking  
 2                   “paragraph (2)” and inserting “paragraph  
 3                   (2)(A)”; and  
 4                   (B) in paragraph (5), by striking “Paragraphs  
 5                   (2)” and inserting “Paragraphs (2)(A)”.

6                   (2) Section 1729A is amended—

7                   (A) in subsection (b), by striking “after June 30,  
 8                   1997,” in the matter preceding paragraph (1);

9                   (B) in subsection (c), by striking paragraph (3);

10                  (C) by striking subsection (e); and

11                  (D) by redesignating subsection (f) as subsection  
 12                  (e).

13                  (3) Section 1804(c)(2) is amended by striking “sub-  
 14                  section” and inserting “section”.

15                  (4) Section 1974(a)(5) is amended by striking “Sec-  
 16                  retary of Transportation” and inserting “Secretary of  
 17                  Homeland Security”.

18                  (b) AMENDMENTS RELATING TO THE JOBS FOR VET-  
 19                  ERANS ACT.—(1)(A) Subsection (c)(2)(B)(ii) of section  
 20                  4102A is amended by striking “October 1, 2002” and in-  
 21                  serting “October 1, 2003”.

22                  (B) The amendment made by subparagraph (A) shall  
 23                  take effect as if included in the enactment of section 4(a)  
 24                  of the Jobs for Veterans Act (Public Law 107–288; 116 Stat.  
 25                  2038).

1       (2) *Subsection (f)(1) of section 4102A is amended by*  
 2 *striking “6 months after the date of the enactment of this*  
 3 *section,” and inserting “May 7, 2003,”.*

4       (c) *AMENDMENTS RELATING TO THE ESTABLISHMENT*  
 5 *OF SOCIAL SECURITY ADMINISTRATION AS AN INDE-*  
 6 *PENDENT AGENCY.—(1) Section 1322 is amended—*

7           (A) *in subsection (a), by striking “Secretary of*  
 8 *Health and Human Services” and all that follows*  
 9 *through the period and inserting “Commissioner of*  
 10 *Social Security, and shall be certified by the Commis-*  
 11 *sioner to the Secretary upon request of the Sec-*  
 12 *retary.”; and*

13          (B) *in subsection (b)—*

14           (i) *by striking “Secretary of Health and*  
 15 *Human Services” in the first sentence and in-*  
 16 *serting “Commissioner of Social Security”;*

17           (ii) *by striking “the two Secretaries” and*  
 18 *inserting “the Secretary and the Commissioner”;*  
 19 *and*

20           (iii) *by striking “Secretary of Health and*  
 21 *Human Services” in the second sentence and in-*  
 22 *serting “Commissioner”.*

23       (2) *Section 5101(a) is amended by striking “Secretary*  
 24 *of Health and Human Services” and inserting “Commis-*  
 25 *sioner of Social Security”.*

1       (3) *Section 5317 is amended by striking “Secretary*  
 2 *of Health and Human Services” in subsections (a), (b), and*  
 3 *(g) and inserting “Commissioner of Social Security”.*

4       (4)(A) *Section 5318 is amended—*

5           (i) *in subsection (a), by striking “Department of*  
 6 *Health and Human Services” and inserting “Social*  
 7 *Security Administration”; and*

8           (ii) *in subsection (b)—*

9               (I) *by striking “Department of Health and*  
 10 *Human Services” and inserting “Social Security*  
 11 *Administration”;*

12               (II) *by striking “Secretary of Health and*  
 13 *Human Services” the first place it appears and*  
 14 *inserting “Commissioner of Social Security”;*

15               (III) *by striking “Secretary of Health and*  
 16 *Human Services” the second place it appears*  
 17 *and inserting “Commissioner”;* and

18               (IV) *by striking “such Secretaries” and in-*  
 19 *serting “the Secretary and the Commissioner”.*

20       (B)(i) *The heading of such section is amended to read*  
 21 *as follows:*

1 **“§5318. Review of Social Security Administration**  
2 **death information”.**

3 (ii) *The item relating to that section in the table of*  
4 *sections at the beginning at chapter 53 is amended to read*  
5 *as follows:*

*“5318. Review of Social Security Administration death information.”.*

Attest:

*Secretary.*



108TH CONGRESS  
1ST SESSION

**H. R. 2297**

---

---

**AMENDMENT**